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**BYRON & DANIELS**

**LAWYERS**

PHILIP E. BYRON, JR. (1911-1977)  
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June 28, 1983

Jun 30 10 04 AM '83  
DIV. OF LAND POLLUTION CONTROL  
IND. STATE BOARD OF HEALTH

Mr. James E. Traylor, Chief  
Technical Support Branch  
Division of Land Pollution Control  
Indiana State Board of Health  
1330 West Michigan Street  
P.O. Box 1964  
Indianapolis, IN 46206-1964

Re: Excel Corporation

Dear Mr. Traylor:

To confirm our telephone conversation on June 27, 1983, it is my understanding that the State Board of Health approves the procedures outlined in the Response of Clyde E. Williams & Associates to your letter of May 5, 1983, and the specific proposals contained in that Response dated May 26, 1983, including the five deep borings described in the Response to Point 1, the seven additional clay layer depth borings described in the Response to Point 2, and the ~~additional test well~~ <sup>where?</sup> water samples, and testing procedures set forth in the remainder of the Responses. We have arranged to undertake the program of further testing described in the Williams' Response specifically in reliance upon your approval of those terms. It is expected that the additional borings will be commenced immediately upon receipt of the approval of Selmer for the off-site borings to be conducted on its property. The remainder of the arrangements for the additional borings have already been made.

This will also confirm your indication that you have no intention of objecting to the accuracy of the test results obtained in the reports submitted by Clyde E. Williams & Associates, and that you have randomly monitored the test analyses on a split spoon basis. As I have earlier indicated, we have no desire to complete the testing procedures conducted with your approval, and then learn that there is a dispute regarding the accuracy of the results.

As soon as a report concerning the latest testing is received, we will forward it to your attention.

Very truly yours,

BYRON & DANIELS

*Robert T. Sanders III*  
Robert T. Sanders III

RTS/mf

cc James Brush  
John Burt  
Michael Terlio